

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
OCT 18 1998

CREDIT & DEBIT MANAGEMENT
OCT 18 1998

86-285

OFFICE OF
MANAGING DIRECTOR

Bruce Goldsen
President
Jackson Radio Works, Inc.
1700 Glenshire Drive
Jackson, Michigan 49201

RE: Request for Waiver of Regulatory Fee, Late Fee
Jackson Radio Works, Inc. (WKHM (AM), WKHM-FM, and
WIBM (AM)), Jackson, Michigan
Fee Control No. 9812228835845002

Dear Mr. Goldsen:

This is in response to your above-styled request of December 17, 1998, to waive the regulatory late fee of \$505.50 imposed upon the late payment of the applicable annual regulatory fee for Jackson Radio Works, Inc.

Title 47, United States Code, section 159(c) and Commission rule 47 CFR §1.1164 impose a penalty for untimely payment equal to 25% of the amount of the regulatory fee. The penalty may be excused only where the delay resulted from bank error "as evidenced by an affidavit of an officer of the bank" (47 CFR §1.1164(b)).

We do not question that the delay was unintentional or that it was the result of simple error caused by miscommunication with your legal counsel. These reasons, however, are not grounds for relief from the penalty. Accordingly, the Commission denies your request for a waiver. If you have any questions, please contact the Credit & Debt Management Group at (202) 418-1995.

Sincerely,



for Mark A. Reger
Chief Financial Officer



K-105.3
Jackson's **HIT** Music

AM970 WKHM
NEWS, SPORTS, INFORMATION

December 17, 1998

Regina W. Dorsey, Chief
Billing & Collections Branch
Federal Communications Commission
Washington DC 20554

Dear Chief Dorsey:

This is in response to your letter dated December 2, 1998. The 1998 regulatory fees paid by Jackson Radio Works, Inc., licensee for WKHM (AM), WKHM-FM and WIBM (AM) were submitted two days past the deadline.

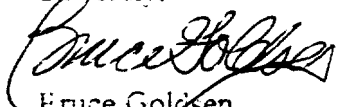
This was the first year that Jackson Radio Works, Inc. has submitted regulatory fees; we are a new licensee, assuming control of these radio stations in December 1997. Due to a misunderstanding with our FCC attorney, it wasn't until the Monday of the week following the deadline that we realized that we were to submit the fee, instead of the attorney (the attorney had filed all of the fees on our behalf during the initial transfer proceeding)

We certainly had no intention of being delinquent with the fees. Once we became aware of the miscommunication, we immediately filed Form 159 and remitted promptly.

Since the regulatory fees were submitted a few days past the original deadline, we are remitting the \$505.50 penalty to Pittsburgh. However, our operation is a small business and run on a tight budget; if the Commission would consider waiving the penalty, we would greatly appreciate its doing so.

Thank you for your consideration.

Sincerely,


Bruce Golden
President

BG/

Payment Transactions Detail Report

Date: 12/27/1999

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date								
9812228835845002	GOLDSEN, BRUCE I 1700 GLENSHIRE DR	0043408717		2/18/1998 00:00:0								
	JACKSON MI 49201											
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type	
\$505.50	\$505.50	1	FINE	1	WKHM	JACKSON RADIO WORKS INC	49201		\$505.50	2	PMT	
Total	1								\$505.50			

DUCKET FILE COPY ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
OCT 26 2000

CREDIT & DEBIT MANAGEMENT
6-1-97 OMD

OFFICE OF
MANAGING DIRECTOR

86205

James Keane, President
KAPS Radio
2029 Freeway Drive
Mount Vernon, WA 98273

RE: Request for Waiver of Late Charge
Penalty for FY 1998 Regulatory Fees
KAPS
Fee Control No. 9811038835834001

Dear Mr. Keane:

This is in response to the request for waiver of the late charge penalty for late payment of the Fiscal Year (FY) 1998 regulatory fees, filed on behalf of KAPS. You request that we waive the late penalty charge. In your original request, you stated and documented that your Form 159 and fee payment, through providing a VISA credit card number, were received by Mellon Bank on September 18, 1998. Your submission would have been timely, but VISA declined payment. You further stated, but did not document, that when informed of the failure of payment, you called VISA and were told that funds were available and to resubmit the charge, which was honored on resubmission.

On May 22, 2000, the Commission denied your waiver request at that time, but provided that you could submit an affidavit from an officer of the bank stating that the payment failed when originally charged due to bank error. On June 28, 2000, you submitted the letter of Brian Tulibaski, Customer Service Manager, U.S. Bancorp, stating that the failure of the charge was due to error on behalf of US Bank.

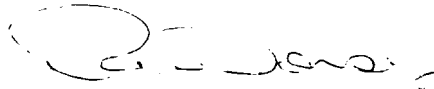
The Commission's rules provide that if "a fee payment fails due to error by the payor's bank, as evidenced by an affidavit of an officer of the bank, the date of the original submission will be considered the date of filing." 47 CFR § 1.1164. The date of filing of your FY 1998 regulatory fees therefore is deemed to be September 18, 1998. Your FY 1998 fee payment is considered timely and no late penalty is due.

James Keane, President

2.

If you have any questions concerning this letter, please call the Credit & Debt Management Group at (202) 418-1995.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark A. Reger", written over a faint horizontal line.

Mark A. Reger
Chief Financial Officer



6-28-00

FCC
Mark Reger
Chief Financial Officer

Dear Mr. Reger:

Thank you for extending the time to submit an affidavit from our bank.

Per your letter dated 5-22-00 enclosed is an affidavit from our bank officer stating that the fee payment in question failed due to an error by the bank.

Please reconsider the request for waiver of the late charges.

Sincerely,

Jim Keane
Jim Keane

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

JUN 26 2000

Mr. James Keane
President
KAPS Radio
2029 Freeway Drive
Mount Vernon, WA 98273

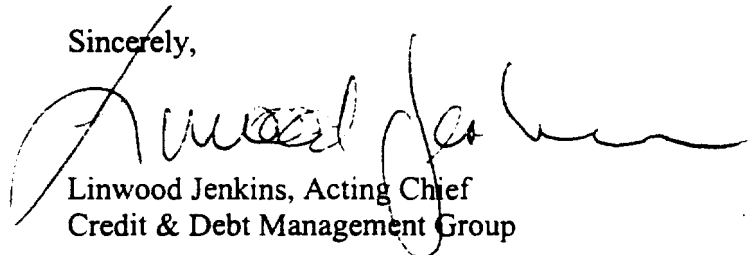
Dear Mr. Keane:

This letter is in response to your request of June 22, 2000, requesting an extension of the time to submit an affidavit from your bank stating that your fee payment failed due to an error by the bank. Our letter to you on May 22, 2000, stated that you had 30 days from that date to produce evidence by an affidavit of an officer of the bank. Failure to do so would result in imposing a late charge penalty in the amount of \$505.50.

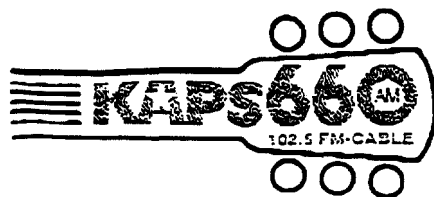
Your request for an extension is approved for an additional 30 days from the date of this letter. At the end of the 30 days, if evidence has not been submitted, you will be assessed the penalty. Payment will be due immediately.

If you have any questions, please contact Theresa Meeks of the Credit & Debt Management Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Linwood Jenkins", is written over the typed name and title.

Linwood Jenkins, Acting Chief
Credit & Debt Management Group



6-22-00

FCC
Teresa Meeks
Fax 202-418-2843

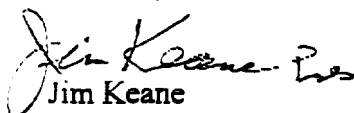
Dear Teresa:

This letter is to request an extension to the June 22, 2000 deadline to get an affidavit from a bank officer as mentioned in the enclosed letter dated 5-22-00.

I have talked to several people and have yet to get the right person to return my call.

I hope to have the affidavit any day now but cannot meet today's deadline.

Sincerely,


Jim Keane

Jim Keane
360-424-7676
360-424-1660 fax